IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 3638 of 2007(G)

PETITIONERS:
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1. M.SHAMSUDHIN, S/O.MOHAMMED ABDUL KHADER,
"ARAFA" NLRA-51(A), NEERAZHI LANE,
ULLOOR, MEDICAL COLLEGE P.O., TRIVANDRUM.

2. A RAHIM, S/O.ABDUL KARIM, "RAFA", VADAKKUMBHAGOM,
KAZHAKUTTOM, TRIVANDRUM DISTRICT.

BY ADV. SMT.K.KUSUMAM

RESPONDENTS:
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1. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. DIRECTOR GENERAL OF POLICE, POLICE HEAD QUARTERS,
TRIVANDRUM.

3. CIRCLE INSPECTOR OF POLICE, PETTAH, TRIVANDRUM.

4. HAKIM SHAH, A H S COMPOUND, MUTTATHARA VILLAGE,
MANACAUD, TRIVANDRUM TALUK, TRIVANDRUM.

R1 TO R3 BY G.P.SRI.K.C.SANTHOSH KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/02/2007, THE COURT ON 01/02/2007 DELIVERED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.3638 OF 2007

Dated 1st February, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. It is the case of the petitioner that he borrowed some amount from the fourth respondent. It is also stated by the petitioner that he has given three cheques to the fourth respondent. According to him, it was given as a collateral security for the loan. The fourth respondent has initiated civil suit as well as criminal case under section 138 of the Negotiable Instruments Act. It is the case of the petitioner that police is also harassing him to settle the matter. We are not expressing any opinion on the merits of the case in this petition as disputed questions can be decided only by adducing evidence. The civil case as well as criminal case pending against the petitioner should be decided untrammelled by any of the observations made in this judgment. However, police is directed to see that law and order is maintained and lives of the parties are not endangered and police shall not interfere in civil disputes. With these observations, this writ petition is disposed of.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

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